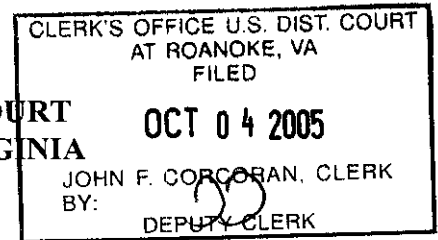


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION



UNITED STATES OF AMERICA)	Criminal Action No. 5:00cr30016
)	
)	
v.)	<u>MEMORANDUM OPINION AND</u>
)	<u>FINAL ORDER</u>
)	
JANICE FOXWORTH)	By: Samuel G. Wilson
)	United States District Judge

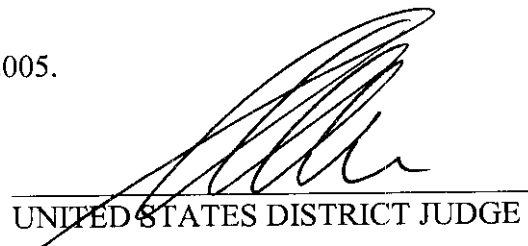
On May 31, 2001, Janice Foxworth pled guilty to conspiracy to distribute crack cocaine. The matter is now before the court on Foxworth's letter, which the court will construe as a motion for copies of transcripts pursuant to the Freedom of Information Act ("FOIA"), and her motions to proceed in forma pauperis and for free copies of transcripts, lab reports, and motions for discovery related to her criminal proceedings.

Foxworth addresses her FOIA request to the court; however, federal courts are specifically excluded from the list of agencies covered by FOIA. 5 U.S.C. § 551(1)(B). Accordingly, Foxworth's FOIA request is **DENIED**. Further, Foxworth has presented evidence to established that she does not have sufficient funds to secure copies of the transcripts, lab reports, or motions from her criminal proceeding, but she is not pursuing a motion to set aside, vacate, or amend her sentence pursuant to 28 U.S.C. § 2255 or related proceedings. Thus, Foxworth has failed to demonstrate a particularized and nonfrivolous need for said documents, therefore, her request for free copies is **DENIED**. United States v. Glass, 317 F.2d 200, 202 (4th Cir.1963). Finally, as Foxworth has no further matters pending before the court, her petition to proceed in forma pauperis is hereby **DENIED**.

Accordingly, it is hereby **ORDERED** and **ADJUDGED** that Foxworth's FOIA request, her motion for free copies of transcripts, reports, and motions, and her motion to proceed in forma pauperis are **DENIED**.

The Clerk of the Court is directed to send certified copies of this order to Foxworth and to counsel of record for the United States of America.

ENTER: This 4th day of October, 2005.



UNITED STATES DISTRICT JUDGE